IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CR NO.3609 of 2007

DATE OF DECISION: 26.7.2007

Gurbachan Singh & Another ...Petitioners

VERSUS

Mohinder Singh and others ...Respondents

CORAM

HON'BLE MR.JUSTICE PERMOD KOHLI

PRESENT: Mr.Ramesh Sharma, Advocate for petitioners

Permod Kohli (Oral)

This Civil Revision is directed against the order 16.4.2007 passed by the Civil Judge (Junior Division), Jagadhri allowing the application filed by the respondent/plaintiff for amendment of the written statement. The trial court has categorically observed that the defendant has already taken a plea that the suit property was purchased by him from his own funds, though the sale deed was got executed in favour of the plaintiffs, due to their close relationship. By virtue of amendment, the defendant/respondent only intended to add that the transaction is "Benami". The trial court has further observed that the plea has already been taken by the applicant in his

written

statement and the amendment has been asked for in elucidation and amplification of the averments already made in the written statement. This amendment is only formal in nature. Keeping in view the above circumstances, the trial court allowed the amendment application. I do not find that the impugned order suffers from any legal or factual infirmity.

In view of the above, I find no merit in this Revision which is accordingly dismissed.

(PERMOD KOHLI)
JUDGE

26.7.2007
MFK

NOTE:Whether to be referred to the Reporter or not:NO